

## **REMARKS**

Claim 4 has been amended to obviate the examiner's objection.

Claim 1 – 8 have been rejected under 35 U.S.C. 103(a) as being obvious unpatentable over Onove (U.S. Patent Number 6,096,366) in view of Berger (U.S. Patent Number 4,022,093), Isao (U.S. Patent Number 5,260,090), Sakamoto et al (U.S. Patent Number 3,615,599) and Zaboli (U.S. Patent Number 6,197,354 B1).

The present invention relates to a discovery by applicant that saturating and then freezing garlic cloves leads to an effect whereby after the cloves are so processed, they do not produce a characteristic garlic odor upon ingestion. This result is similar to that described in applicant's previous patent No. 6,197,354 B1 but the presently claimed freezing process was not suggested therein and was not, in fact, known to produce the desired result at the time of the filing of the application which resulted in the 6,197,354 B1 patent. That the present freezing process will provide this desired result is obvious only in hindsight with the benefit of applicant's present disclosure.

The Onove patent, as the examiner acknowledges, does not recognize that freezing saturated garlic cloves may produce the result obtained by the present invention.

Claim 1 as presently amended and new claim 11 both call for a fresh garlic clove to be saturated and then frozen.

The recipe described in Onove reference calls for garlic cloves to be *inter alia* minced and mixed with olive oil before the freezing step. It is not known whether the mincing and mixing with olive oil inhibit the process of breaking the micrograins of garlic during the freezing process, which produces the effect produced by the present invention. However, since olive oil does not have the characteristic of water of expanding upon freezing is possible, if not likely, that the Onove process does not produce the desired effect of breaking the micrograins upon freezing.

Similarly the Berger reference teaches crushing the garlic cloves and treating the crushed garlic cloves with an emulsifier to preserve the taste. There is no suggestion in

Berger of freezing whole saturated garlic cloves to eliminate after odor which is claimed in both claims 1 as amended and new claim 11.

Indeed none of the art of record suggests freezing saturated whole garlic cloves to eliminate after odor upon ingestion, as do claims 1, 11 and the claims dependent thereon.

In view of the above amendment and remarks, claim 1 – 11 are believed to be in condition for allowance and passage of these claims to issue is, therefore, respectfully solicited.

A check of sixty dollars (\$ 60.00) for extension for response within first month is submitted with this amendment. It is believed that no additional fee(s) are required with this submission. However, should any additional fee(s) be required, the Commissioner is hereby authorized to charge any such fee(s), and/or credit any overpayment(s), to Deposit Account No. 501982.

Respectfully submitted,



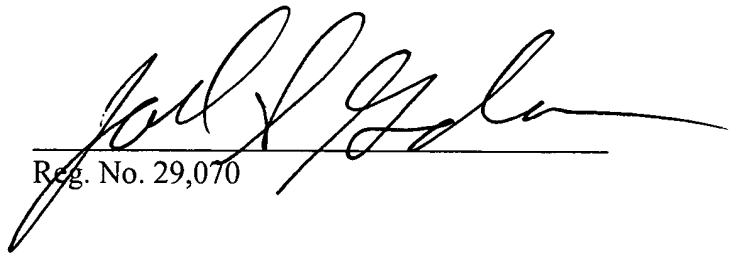
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**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)**

I hereby certify that this paper, along with any paper referred to as being attached or enclosed, is being deposited with the United States Postal Service on the date shown below with sufficient postage as U.S. Express Mail in an envelope addressed to the Assistant Commissioner for Patents, Mail Stop Non-Fee Amendment, Post Office Box 1450, Alexandria, Virginia 22313-1450.

  
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